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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/505,632	02/16/2000	Michael C. Scroggie	CAT/34-SCRO-CCP	5917
31518	7590	03/20/2006	EXAMINER	
NEIFELD IP LAW, PC 4813-B EISENHOWER AVENUE ALEXANDRIA, VA 22304			ROBINSON BOYCE, AKIBA K	
			ART UNIT	PAPER NUMBER
			3639	
DATE MAILED: 03/20/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/505,632	SCROGGIE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Akiba K. Robinson-Boyce	3639	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 24-31, 36-43 and 48-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-31, 36-43 and 48-51 is/are rejected.
- 7) ☒ Claim(s) 24-27, 36-39 and 48 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Status of Claims*

1. The following non-final office action is in response to the appeal brief filed 12/23/05. Prosecution has been re-opened for this case. Claims 24-31, 36-43, and 48-51 are pending in this application, and have been examined on the merits. The previous rejection has been withdrawn, and the following reflects the claims as amended.

### *Claim Objections*

2. Claims 24-27, 36-39 and 48 are objected to because of the following informalities: As per independent claims 24, 36 and 48, these claims recite "transmitting region data from said web site of said manufacturer over the Internet **to a remote Web site**", and then "in response to receipt of region data **at said manufacturer's Web site**". This claim language is confusing since the region data is primarily transmitted to a remote site in the first limitation, and then is received at a manufacturer's Web site in the second limitation. Instead, the claim language should read "in response to receipt of region data **at said remote Web site**". Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 50 and 51 recites the limitation "transmission from a consumer to a retailer website", "transmission from the retailer website to a remote website" in claim 50 and "means for transmitting from a consumer to a retailer website", "means for

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transmitting from the retailer website to a remote website", in claim 51. There is insufficient antecedent basis for this limitation in the claim.

There is no indication as to what is being "transmitted". Correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 50, 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Jovicic et al.

As per claims 50, 51 Jovicic et al discloses:

Transmission/Means for transmitting from a consumer to a retailer website, ...(Col. 3, lines 47-50, user [uses computer] to make online selection to Internet Coupon Server);

Transmission/Means for transmitting from the retailer website to a remote website, ...(Col. 3, lines 5-67, internet Coupon Notification Center records serial numbers of the coupons generated by the Internet Coupon Server [by way of redemption center] along with the redemption specification); and

Transmission/Means for transmitting from the remote website to the retailer website, of a list of manufacturer incentives, ...(Col. 4, lines 47-53, accessing Coupon

Notification Center's database to verify validity of electronic coupon at the redemption center, which records the redemption of coupons, and therefore comprises coupon details, which were transmitted to the database from the redemption center).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 24, 27, 28, 29, 36, 39, 40, 41, 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jovicic et al, (US 5,855,007).

As per claim 24, 36, 48, 49, Jovicic et al discloses:

transmitting from a consumer computer over the Internet to a Web site of a manufacturer/retailer a request for manufacturer incentives to purchase one of a product and a service offered by said manufacturer/means for transmitting from a consumer computer over the Internet to a Web site of a manufacturer/retailer a request for manufacturer incentives to purchase one of a product and a service offered by said manufacturer, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center);

in response/means for, in response to receipt of a request for manufacturer incentives, transmitting region data from said Web site of said manufacturer over the

Internet to a remote Web site/in response to receipt of a request for manufacturer incentives to purchase one of a product and a service offered by a manufacturer transmitted from a consumer computer over the Internet, transmitting region data from a Web site of said manufacturer over the Internet to a remote Web site/in response to receiving at a web site of a manufacturer, a request for manufacturer incentives to purchase one of a product and a service offered by a manufacturer transmitted from a consumer computer over the Internet, transmitting region data from a Web site of said manufacturer over the Internet to a remote Web site/in response to receipt of a request for manufacturer incentives to purchase one of a product and a service offered by a manufacturer transmitted from a consumer computer over the Internet to a Web site of a retailer, transmitting said request from said Web site of said retailer over the Internet to a remote Web site, (Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to Internet Coupon Server);

in response to receipt of region data at said manufacturer's Web site, transmitting from said remote Web site to said Web site of said manufacturer at least one manufacturer incentive and at least one name and address of a retailer/means for transmitting from said remote Web site to said Web site of said manufacturer at least one manufacturer incentive and at least one name and address of a retailer/ in response to receipt of said request at said remote site, transmitting from said remote site over the Internet to said Web site of said retailer a list of manufacturer incentives, (Col. 10, line 46-Col 11, line 3, In response to entry of demographic information,

transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs) by way of message;

transmitting from said Web site of said manufacturer over the Internet to said consumer computer said at least one manufacturer incentive and said at least one name and address/ in response to receipt of said manufacturers incentives at said Web site of said retailer, transmitting over the Internet to said consumer computer said list of manufacturers incentives, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

Jovicic et al does not specifically disclose that the request goes to the Web site of the manufacturer, but does disclose that the user request goes through the Internet to the Internet coupon Server. In Fig. 1, it is shown that Internet Public Computer Network [122] is connected to the Redemption Center (retailer as shown in Col. 2, line 27), and manufacturer (Internet Coupon Notification Center since manufacturer is known to be the issuer as shown in col. 2, line 6), which are all connected to the Internet Coupon Server by an Internet Connection. Therefore, it would be obvious to make a request to the manufacturer since the consumer makes a request over the Internet by way of the retail outlet, and the retail outlet is also connected to the manufacturer outlet through the Internet connection, the manufacturer's Web page is also therefore being utilized.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to direct a request to the Web site of the manufacturer with the motivation of allowing a consumer to directly interact with the product incentive request environment.

As per claim 27, 39, Jovicic et al discloses:

transmitting from said consumer computer to said Web site of said manufacturer selection data indicating selection of said at least one manufacturer incentive/means for transmitting...(Col. 3, lines 47-50, user makes online selection to Internet Coupon Server);

transmitting from said Web site of said manufacturer to said remote site said selection data/means for transmitting from said Web site...(Col. 3, lines 5-67, internet Coupon Notification Center records serial numbers of the coupons generated by the Internet Coupon Server[by way of redemption center] along with the redemption specification);

transmitting from said remote site to said Web site of said manufacturer details of the selected at least one manufacturer incentive/means for transmitting from said remote site...(Col. 4, lines 47-53, accessing Coupon Notification Center's database to verify validity of electronic coupon at the redemption center, which records the redemption of coupons, and therefore comprises coupon details);

transmitting from said Web site of said manufacturer to said consumer computer details/means for transmitting from said Web site of said manufacturer, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the

coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

Jovicic et al does not specifically disclose that the request goes to the Web site of the manufacturer, but does disclose that the user request goes through the Internet to the Internet coupon Server. In Fig. 1, it is shown that Internet Public Computer Network [122] is connected to the Redemption Center (retailer as shown in Col. 2, line 27), and manufacturer (Internet Coupon Notification Center since manufacturer is known to be the issuer as shown in col. 2, line 6), which are all connected to the Internet Coupon Server by an Internet Connection. Therefore, it would be obvious to make a request to the manufacturer since the consumer makes a request over the Internet by way of the retail outlet, and the retail outlet is also connected to the manufacturer outlet through the Internet connection, the manufacturer's Web page is also therefore being utilized.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to direct a request to the Web site of the manufacturer with the motivation of allowing a consumer to directly interact with the product incentive request environment.

As per claim 28, 40, Jovicic et al discloses:

transmitting from a consumer computer over the internet to a Web site of a retailer a request for manufacturer incentives to purchase one of a product and a service offered by a manufacturer/means for transmitting from a consumer computer

over the internet to a Web site of a retailer a request for manufacturer incentives to purchase one of a product and a service offered by a manufacture/transmission from the a consumer to a retailer website, ...(Col. 3, lines 47-50, user makes online selection to Internet Coupon Server);

in response to receipt of said request at said Web site of said retailer, transmitting said request from said Web site of said retailer over the Internet to a remote Web site/means for transmitting said request from said Web site of said retailer over the Internet to a remote Web site, ...(Col. 3, lines 5-67, internet Coupon Notification Center records serial numbers of the coupons generated by the Internet Coupon Server[by way of redemption center] along with the redemption specification);

in response to receipt of said request at said remote site, transmitting from said remote site over the Internet to said Web site of said retailer a list of manufacturer incentives/means for transmitting from said remote site over the Internet to said Web site of said retailer a list of manufacturer incentives; ...(Col. 4, lines 47-53, accessing Coupon Notification Center's database to verify validity of electronic coupon at the redemption center, which records the redemption of coupons, and therefore comprises coupon details);

in response to receipt of said manufacturers incentives at said Web site of said retailer, transmitting over the Internet to said consumer computer said list of manufacturers incentives/means for transmitting over the Internet to said consumer computer said list of manufacturers incentives, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and

the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claims 29, 41, Jovicic et al discloses:

Transmitting/means for transmitting a user identification from said Web site of said retailer over the Internet to said remote Web site in association with said request and determining manufacturer's incentives to transmit from said remote Website to said Web site of said retailer based upon said user identification, (Col. 4, lines 30-47, placing coupon indicia in browsing memory based on user identification).

9. Claims 25, 26, 30, 37, 38, and 42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jovicic et al (US 5,855,007), in further view of Perkowski (US 6,064,979).

As per claim 25, 37, Jovicic et al does not disclose the following, but does disclose Internet connections as shown in Fig. 1, however Perkowski discloses:

wherein said step of transmitting from said remote site said list further comprises transmitting a link to a Web site of said retailer/wherein said means for transmitting from said remote site said list further comprises means for transmitting a link...(Col. 4, lines 45-52, shows URLs are symbolically linked to each registered product). Perkowski discloses this limitation in an analogous art for the purpose of showing that a user can utilize a URL to access product data).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to transmit a link to a Web site with the motivation of transmitting means for accessing product data over an Internet connection.

As per claim 26, 30, 38, 42, Jovicic et al does not disclose the following, but does disclose utilizing demographic data such as location data to obtain coupons through the Internet Coupon Server as shown in Col. 9, line 65-Col. 10, line 17, however Perkowski discloses:

determining said at least one manufacturer's incentive and said at least one name and address of a retailer by querying, using said region data, a database from a server of said remote Web site/means for determining...transmitting from the consumer computer over the Internet to the Web site of the retailer region data/means for transmitting...(Col. 1, lines 54-64, shows it is common to use search by location of the seller's site via search engines to determine that seller's product information, where it is shown that product information includes company name and company e-mail address since this is some of the information stored in the IPSD server and it is therefore the same type of information that is transmitted by the IPSD Web site). Perkowski discloses this limitation in an analogous art for the purpose of showing that a user can use a search engine to determine product information.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to utilize region data in a query to determine at least one name and address of a retailer with the motivation of allowing a user to search for the specific location of a retailer only with limited information.

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10. Claims 31 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jovicic et al, (US 5,855,007), in further view of Perkowski (US 6,064,979), and further in view of Smolen (US Patent 5,915,243).

As per claims 31, 43, neither Jovicic et al nor Perkowski disclose wherein said region data is postal code data, but Jovicic et al does disclose region data through collecting demographic data in col. 9, line 65-Col. 10, line 17.

However Smolen discloses:

wherein said region data is postal code data, (Col. 4, lines 64-67, represented by postal code). Smolen discloses this limitation in an analogous art for the purpose of showing that postal code data can be incorporated into a system for transmitting incentives.

It would have been obvious to one of ordinary skill in the art for the region data to be postal code data in order to determine the location of the retailer versus the location of the user for incentive transmittal purposes.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 24-31, 36-43, and 48-51 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

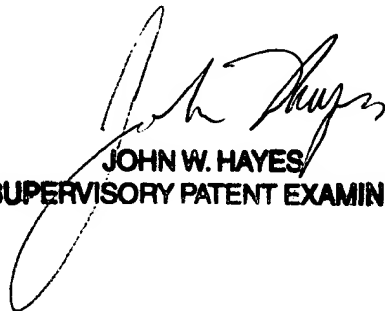
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.  
March 13, 2006



**JOHN W. HAYES**  
**SUPERVISORY PATENT EXAMINER**